

UNITED STATES DISTRICT COURT for the
SOUTHERN DISTRICT OF NEW YORK

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STEPHEN REICH, in his fiduciary capacity as a Trustee for the	:
LABORERS LOCAL 754 WELFARE FUND, PENSION FUND,	:
SAVINGS FUND, ANNUITY FUND, INDUSTRY ADVANCEMENT	:
FUND, NY HEALTH AND SAFETY FUND OF NORTH AMERICA,	:
NYS LECET FUND, NYSLPA FUND, LABORERS' TRAINING FUND,	:
754 LABOR MANAGEMENT COMMITTEE, and 754/CONTRACTORS:	:
ORGANIZING & DEVELOPMENT FUND; and STEPHEN REICH as	:
the Business Manager of the LABORERS LOCAL UNION 754,	:
	:
Plaintiffs,	:
	:
- against -	:
	:
CASABELLA LANDSCAPING OF NY, INC.	:
	:
Defendant.	:
	:
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**NOTICE OF
MOTION FOR
TURNOVER
ORDER**

21-CV-9327

(Karas, J.)
(Krause, M.J.)

PLEASE TAKE NOTICE that based upon the accompanying Declaration of Katherine M. Morgan, Esq. and the exhibits annexed thereto, and upon the accompanying Memorandum of Law, Plaintiffs Stephen Reich, in his fiduciary capacity as a Trustee for the Laborers Local 754 Welfare Fund, Pension Fund, Savings Fund, Annuity Fund, Industry Advancement Fund, NY Health and Safety Fund of North America, NYS LECET Fund, NYSLPA Fund, Laborers' Training Fund, 754 Labor Management Committee, and 754/Contractors Organizing & Development Fund; and as the Business Manager of the Laborers Local Union 754 ("Plaintiffs," "Funds," or "Judgment Creditors"), hereby move this Court, pursuant to Fed. R. Civ. P. 69 and New York Civil Practice Law and Rules ("CPLR") § 5225(b), for an order compelling Orange Bank and Trust Company ("Orange Bank" or "Garnishee"), to turn over certain funds that at all times material to this motion were in its possession, and are or were otherwise due and owing to Defendant-Judgment Debtor Casabella Landscaping of NY, Inc. ("Casabella Landscaping," "Judgment

Debtor,” or “Defendant”). For the reasons set forth at length in the annexed Memorandum of Law, a Court Order directing the turnover of funds to Plaintiffs is appropriate in this case.

Dated: New York, New York
August 23, 2024

Respectfully submitted,
HOLM & O’HARA LLP
Attorneys for Plaintiffs

By: /s/ Katherine M. Morgan
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